UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/AC.154/315
23 March 1998

ORIGINAL: ENGLISH

COMMITTEE ON RELATIONS WITH
THE HOST COUNTRY

LETTER DATED 9 MARCH 1998 FROM THE PERMANENT REPRESENTATIVE OF CUBA TO THE UNITED NATIONS ADDRESSED TO THE CHAIRMAN OF THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY

I have the honour to request your good offices in circulating the attached note verbale dated 9 March 1998 from the Permanent Mission of Cuba to the United Nations addressed to the United States Mission to the United Nations as an official document of the Committee on Relations with the Host Country.

The attached note verbale refers to an incident that took place at the Brussels airport with the authorities of Delta Airlines, on 27 February 1998, on my way back to New York City after attending an international seminar on Palestine held at Brussels, in my capacity as Vice-Chairman of the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People.

(Signed) Bruno RODRÍGUEZ PARRILLA

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ANNEX

Note verbale dated 9 March 1998 from the Permanent Mission of Cuba to the United Nations addressed to the United States Mission to the United Nations

The Permanent Mission of Cuba to the United Nations presents its compliments to the United States Mission to the United Nations and wishes to refer to the incident involving His Excellency Mr. Bruno Rodríguez Parrilla, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Cuba to the United Nations and Vice-President of the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People, at the Brussels airport, on Friday, 27 February 1998, on his way back to New York City, after participating in an international seminar on Palestine, i.e., in an official event of the United Nations.

Ambassador Bruno Rodríguez Parrilla was subjected to a selective and discriminatory procedure by representatives of the United States airline Delta Airlines as he tried to board flight DL 141 at 10 a.m. (local time). No other passenger on that flight, including another ambassador to the United Nations and the officials of the United Nations Secretariat who witnessed the incidents, was subjected to any additional proceedings.

Ambassador Parrilla followed the regular check-in procedure at the Delta desk and passed the airport's security controls in the normal manner. However, on arriving at the exit gate, the airline's officers told him that he could not board the plane without putting himself through an additional formality regarding his carry-on luggage and was then led to exit 40 of that airport, about 500 metres away from his flight's gate and, obviously, equipped for special security inspection by United States officers. At that point, there was an attempt to carry out physical search of the ambassador's carry-on luggage and body.

The Delta Airlines officers and the Belgian port authority employee (as he identified himself), Mr. Peter Jennsens, adduced that it was special regulations established by the United States Federal Aviation Administration (FAA) for citizens of certain States. Ambassador Parrilla invoked the privileges and immunities he enjoys in conformity with the existing international legal regime on said privileges and immunities and bluntly refused to put himself through such humiliating, selective and discriminatory procedures. After a half-hour delay of the flight, the ambassador was kept from boarding the plane.

The Permanent Mission of Cuba must recall that a similar incident took place on 17 August 1996, at Kennedy airport, with officers of the United States airline Northwest Airlines, which was described in the note verbale of the Permanent Mission of Cuba dated 26 August 1996 (A/AC.154/292), whose contents are reiterated by the Cuban diplomatic Mission on the present occasion.

In the aforementioned note verbale, the Permanent Mission of Cuba stated that the repeated attempts and pressure to manually search the ambassador's carry-on luggage constituted a gross violation of the diplomatic privileges and

immunities granted to diplomatic officials by several international juridical instruments, in particular the Vienna Convention on Diplomatic Relations, the Agreement on the Headquarters of the United Nations and the Convention on the Privileges and Immunities of the United Nations.

Likewise, the Permanent Mission of Cuba denounced the inadmissible nature of applying special, selective and discriminatory measures against a passenger, precisely because of his or her being a diplomat of the Republic of Cuba.

Prior to the incident at Kennedy airport, the Permanent Mission of Cuba had brought to the attention of the authorities of the host country the fact that certain information was publicly circulating at the United Nations relating to measures adopted by the United States authorities in regard to flight security, including the existence of a list of countries with alleged links with terrorism, whose nationals would be subject to special, discriminatory and selective measures at United States airports.

The United States Mission in its note verbale HC-33-96, of 4 September 1996, replied that it regretted the incident the Permanent Representative of Cuba had been through on 17 August 1996 and stated that the necessary measures had been taken to prevent a new incident of that nature from taking place.

However, the facts indicate the existence of regulations established by official agencies of the United States Government in violation of diplomatic privileges and immunities internationally recognized for diplomatic officials and representatives of States Members of the United Nations. The United States media, for example The New York Times, in its 31 December 1997 issue, dealt openly with this issue.

In this regard, the Permanent Mission of Cuba would like to know if there are regulations from official agencies of the United States Government such as those described, and would appreciate an official response on this matter.

The Permanent Mission of Cuba reiterates that it will not renounce the diplomatic privileges and immunities entertained by its officials by virtue of the Vienna Convention on Diplomatic Relations, the Agreement on the Headquarters of the United Nations and the Convention on the Privileges and Immunities of the United Nations.

The Permanent Mission of Cuba reserves the right to resort to the relevant bodies of the United Nations, to the effect of denouncing the repeated application of an unacceptable, selective and discriminatory measure against Cuban diplomatic officials accredited to the United Nations.